

UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF TENNESSEE  
AT GREENEVILLE

UNITED STATES OF AMERICA )  
v. ) NO. 2:04-CR-70  
MARIO GRAVES )

## ORDER

Pursuant to 28 U.S.C. § 455(a), the undersigned District Judge **FINDS** that his impartiality in presiding over this defendant's case might reasonably come into question, in light of the government's notice that it will be calling as a witness a former client of this Judge, which is the first notice that the Court has had of a potential ground for his disqualification. [Doc. 63]. Given that close questions should generally be decided in favor of recusal, this District Judge hereby **DISQUALIFIES** himself from any subsequent proceedings in this case. *See United States v. Dandy*, 998 F. 2d 1344, 1349 (6<sup>th</sup> Cir. 1993).

The Clerk is **DIRECTED** to provide the Chief Judge of this District with a copy of this order for reassignment of this case.

## ENTER:

S/J. RONNIE GREER  
UNITED STATES DISTRICT JUDGE